

3 Box 1 - JGR/Abortion (3) - Roberts, John G.: Files SERIES I:  
Subject File

THE WHITE HOUSE

WASHINGTON

April 10, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM:

JOHN G. ROBERTS

SUBJECT:

Reprinting of the President's Abortion  
Article

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Kathleen Bursley, an attorney for Harcourt Brace Jovanovich, Inc., has written to ask for a public domain copy of "Abortion and the Conscience of the Nation," by the President. Harcourt wants to include the article in a college rhetoric text as an example of argumentation. They approached Thomas Nelson, Inc., which published the article in book form, for permission. Thomas Nelson is demanding a fee of \$1,000, which Bursley considers exorbitant under the circumstances.

You will recall that this article first appeared in the Summer 1983 issue of Human Life Review, and was copyrighted at that time by the publisher of Human Life Review, The Human Life Foundation, Inc. The article was later published in book form by Thomas Nelson, pursuant to an arrangement whereby royalties benefit The Human Life Foundation. You approved the Nelson reprint and the royalties arrangement by letters dated November 7, 1983. The article has also been distributed by the White House in pamphlet form, bearing the Seal of the President, with no copyright notation.

As I read the law, no copyright protection is available for the article. There was no basis for the publishers of Human Life Review to copyright it when it first appeared. The article was clearly Government work, and not the private product of the President. It was drafted by OPD and Speech-writers, with editing by Peter Rusthoven of this office, and went through the White House clearance process. There is no copyright protection "for any work of the United States Government." 17 U.S.C. § 105. "Work of the United States Government" is defined to be "a work prepared by an officer or employee of the United States Government as part of that person's official duties." 17 U.S.C. § 101. The article clearly fits that definition from the perspective of those on the White House staff who prepared it. Since it expresses the President's view on a public policy issue, and was designed to shape the debate on that issue, the article should also be considered to have been prepared by the President in the course of his official duties.

The Presidential Records Act confirms this conclusion. The article certainly qualifies as a Presidential record, see 44 U.S.C. § 2201, and ownership, possession, and control of such records is retained by the United States, 44 U.S.C. § 2202.

My recommendation would be to send Harcourt one of the White House pamphlets of the article, advising that no permission is necessary to reprint it. I would alert The Human Life Foundation and Thomas Nelson before doing so, since they are apparently under the impression that they have some rights to the article. I have not called them yet, however, since the fact that the article was copyrighted by the Foundation, and the fact that this office has granted reprint permission (to Thomas Nelson) and denied reprint permission (to Charisma) suggest my view of the law may not have been previously operative in this area. Peter may have discussed these issues with you; perhaps there are some facts (not revealed in the file, which I have reviewed) of which I am unaware. Please advise.

# Harcourt Brace Jovanovich, Inc.

ORLANDO, FLORIDA 32887 TELEPHONE (305) 345-3982 TELEX: 568373

KATHLEEN A. BURSLEY  
ATTORNEY

March 14, 1985

Fred Fielding, Esq.  
Counsel to the President  
The White House  
1600 Pennsylvania Avenue  
Washington, DC 20500

RE: "Abortion and the Conscience of the Nation," by Ronald Reagan  
Dear Mr. Fielding:

Ms. Eleanor Garner, of Harcourt Brace Jovanovich's College Department, spoke to someone in your office concerning the above-referenced article, and was asked to put the request in writing and direct it to you.

The situation arose when one of our authors wished to use this article in a rhetoric text as an example of argumentation. He had seen the article in a pamphlet published by Thomas Nelson, Inc., and he therefore requested permission from Thomas Nelson to use it in this way. Thomas Nelson demanded a fee of \$1,000.00 (lowered from the \$2,000.00 fee originally quoted). This fee is at least five times as high as any fee quoted for other permissions material used in this book. We found this particularly troubling since the article was written by a sitting President and was not in any case to be used in a manner competitive with Thomas Nelson's publication.

I then contacted Thomas Nelson to try to determine the basis for the high fee, and to confirm that they were in fact authorized to grant or deny permission in this way. The person I spoke to reiterated the original position.

In the meantime, Ms. Garner attempted to locate a public domain copy of the article, since she had been informed that it had been submitted to a congressional committee holding hearings on a human life bill, and that the transcripts of the hearings had been published by the government printing office. Her efforts to locate this publication at the nearest federal document depository were unsuccessful. Eventually, she was referred to the White House library and then to your office.

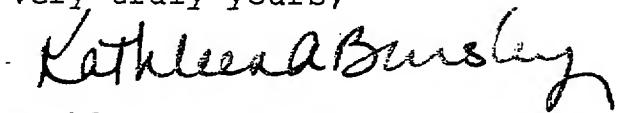
Fred Fielding, Esq.  
March 14, 1985  
Page 3

I am therefore requesting a public domain copy of the article, "Abortion and the Conscience of the Nation," by Ronald Reagan, if one exists. HBJ would like to use this article in a text or texts on the subjects of rhetoric and argumentation. Alternatively, if there is no public domain copy, we would appreciate any assistance you may be able to offer in persuading Thomas Nelson to quote a more reasonable fee.

Please let me know if you need any further information in order to respond to this request.

Thank you in advance for your assistance.

Very truly yours,



Kathleen A. Bursley

KAB:DH

cc: Eleanor Garner

THE WHITE HOUSE

WASHINGTON

June 7, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS 

SUBJECT: Talking Points Regarding Phone Call  
to Americans Against Abortion Rally

David Chew has asked that comments on the above-referenced talking points be sent directly to Linda Chavez by 1:00 p.m. today. The President will use the talking points in a Sunday telephone call to the anti-abortion rally in Los Angeles.

The remarks call for reversing "the tragedy of Roe v. Wade and Doe v. Bolton," but the President has done that often in the past. The rest of the remarks simply express support for the pro-life position, noting advances in medical technology that permit increased care for the unborn, and applauding those who are providing compassionate alternatives to abortion. I have no objections.

Attachment

THE WHITE HOUSE

WASHINGTON

June 7, 1985

MEMORANDUM FOR LINDA CHAVEZ

DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, OFFICE OF PUBLIC LIAISON

FROM: FRED F. FIELDING Orig. signed by FFF  
COUNSEL TO THE PRESIDENT

SUBJECT: Talking Points Regarding Phone Call  
to Americans Against Abortion Rally

Counsel's Office has reviewed the above-referenced talking points, and finds no objection to them from a legal perspective.

cc: David L. Chew

FFF:JGR;aea 6/7/85

bcc: FFFielding

JGRoberts

Subj

Chron

THE WHITE HOUSE

WASHINGTON

June 7, 1985

MEMORANDUM FOR LINDA CHAVEZ

DEPUTY ASSISTANT TO THE PRESIDENT  
DIRECTOR, OFFICE OF PUBLIC LIAISON

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

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cc: David L. Chew

FFF:JGR;aea 6/7/85

bcc: FFFielding  
JGRoberts  
Subj  
Chron

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

O - OUTGOING  
 H - INTERNAL  
 I - INCOMING  
 Date Correspondence Received (YY/MM/DD) 1/1

Name of Correspondent: David Chew

MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Talking Points re: Phone Call to Americans  
against Abortion Rally

**ROUTE TO:**

**ACTION**

**DISPOSITION**

Office/Agency	(Staff Name)	Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD
	<u>CU Holl</u>	ORIGINATOR	<u>85/06/07</u>		<u>1/1</u>
	<u>CUAT 18</u>	Referral Note:	<u>D 85/06/07</u>	<u>S 85/06/07</u>	<u>ASAP-1:00 pm</u>
		Referral Note:	<u>1/1</u>	<u>1/1</u>	<u>1/1</u>
		Referral Note:	<u>1/1</u>	<u>1/1</u>	<u>1/1</u>
		Referral Note:	<u>1/1</u>	<u>1/1</u>	<u>1/1</u>
		Referral Note:	<u>1/1</u>	<u>1/1</u>	<u>1/1</u>

**ACTION CODES:**

A - Appropriate Action  
 C - Comment/Recommendation  
 D - Draft Response  
 F - Furnish Fact Sheet  
 to be used as Enclosure

I - Info Copy Only/No Action Necessary  
 R - Direct Reply w/Copy  
 S - For Signature  
 X - Interim Reply

**DISPOSITION CODES:**

A - Answered  
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 C - Completed  
 S - Suspended

**FOR OUTGOING CORRESPONDENCE:**

Type of Response = Initials of Signer  
 Code = "A"  
 Completion Date = Date of Outgoing

Comments: \_\_\_\_\_

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

**WHITE HOUSE STAFFING MEMORANDUM**DATE: 6/7/85 ACTION/CONCURRENCE/COMMENT DUE BY: ASAP - 1:00 P.M. TODAYSUBJECT: TALKING POINTS RE PHONE CALL TO AMERICANS AGAINST ABORTION RALLY

	ACTION FYI				ACTION FYI		
VICE PRESIDENT	<input type="checkbox"/>	<input type="checkbox"/>	LACY		<input type="checkbox"/>	<input type="checkbox"/>	
REGAN	<input type="checkbox"/>	<input type="checkbox"/>	McFARLANE		<input type="checkbox"/>	<input type="checkbox"/>	
STOCKMAN	<input type="checkbox"/>	<input type="checkbox"/>	OGLESBY		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
BUCHANAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	ROLLINS		<input type="checkbox"/>	<input type="checkbox"/>	
CHAVEZ	<input type="checkbox"/>	<input checked="" type="checkbox"/>	RYAN		<input type="checkbox"/>	<input type="checkbox"/>	
CHEW	<input type="checkbox"/> P	<input checked="" type="checkbox"/> SS	SPEAKES		<input type="checkbox"/>	<input checked="" type="checkbox"/>	
DANIELS	<input type="checkbox"/>	<input type="checkbox"/>	SPRINKEL		<input type="checkbox"/>	<input type="checkbox"/>	
FIELDING	<input checked="" type="checkbox"/>	<input type="checkbox"/>	SVAHN		<input checked="" type="checkbox"/>	<input type="checkbox"/>	
FRIEDERSDORF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	TUTTLE		<input type="checkbox"/>	<input type="checkbox"/>	
HENKEL	<input type="checkbox"/>	<input type="checkbox"/>	_____		<input type="checkbox"/>	<input type="checkbox"/>	
HICKEY	<input type="checkbox"/>	<input type="checkbox"/>	_____		<input type="checkbox"/>	<input type="checkbox"/>	
HICKS	<input type="checkbox"/>	<input type="checkbox"/>	_____		<input type="checkbox"/>	<input type="checkbox"/>	
KINGON	<input type="checkbox"/>	<input type="checkbox"/>	_____		<input type="checkbox"/>	<input type="checkbox"/>	

**REMARKS:**

The President will be making a phone call to the Americans Against Abortion Rally on Sunday. Attached are the proposed talking points. Please provide any comments/edits directly to Linda Chavez by 1:00 p.m. today, with an information copy to my office. Thank you.

**RESPONSE:**

1005 JUN -7 1985:19

David L. Chew  
Staff Secretary  
Ext. 2702

THE WHITE HOUSE

WASHINGTON

SUGGESTED TALKING POINTS FOR MEETING WITH  
AMERICANS AGAINST ABORTION RALLY, LOS ANGELES, CALIFORNIA

- I am pleased to have this opportunity to greet everyone attending the Americans Against Abortion Rally. Our talking together coast-to-coast symbolizes one of the great truths about the right to life issue which you've gathered to support -- it's truly among the most important issues facing our nation today and Americans from every corner of this land are working harder than ever before to see that justice is done and the tragedy of Roe v. Wade and Doe v. Bolton is reversed;
  
- Not long ago, in the dead of winter in our Nation's Capital, I spoke to a similar gathering -- the March for Life in Washington, D.C. The brave people who came to Washington in the ice and cold of January demonstrated the character of the movement to which you belong -- it isn't one for fair-weather friends. While California in June might be a little warmer, the men, women, and children attending this rally show the same basic qualities -- unlike some who plead for special causes, you plead for one in which there isn't a shred of self-interest. You speak for those who

cannot help themselves, who -- until recently -- were for all intents and purposes unseen and unheard. You give them -- the unborn -- a voice and a hope, and as a result of your actions, the conscience of a Nation is being moved;

- One of the most important ways this is being done is through the "window in the womb" now provided by advances in medical technology. Doctors now speak of the "patient in the womb," a powerful acknowledgement that it is the work of medicine to heal, not to destroy. The unborn can now receive blood transfusions and medication in utero. And, for the first time, through the technique of real-time ultrasound imaging, the evidence of what abortion does to end the life of a living human being is available to anyone who has eyes to see;
- I've spoken here of the evidence today that establishes that the unborn is a living human being. We must not forget that, in reality, if there is any justice in the abortionist position, it would require that they establish beyond a doubt that there is not life in the unborn -- and they can't do that;

- It's been a long, hard struggle the past dozen years. But I know all of us are feeling hopeful about a positive resolution of this issue, and I don't think our feeling of hope is inappropriate. There are already signs that we've changed the public attitude on abortion. The number performed each year is finally leveling off. The general feeling that abortion is just a small, harmless medical procedure that's simply a matter of choice has almost disappeared;
- We're making a lot of progress, and partly because a dozen years ago people like yourselves, who were told that banning abortion was a losing battle, said, "Fine, that's the only kind of battle worth fighting;"
- Let me also take this opportunity to express my thanks to those present for all you've done to open hearts and homes to women with problem pregnancies. As I've said before, the essence of your work is voluntarism in the truest sense, and your efforts to provide alternatives to abortion are a classic example of a tremendous need being met by awesome generosity. The growth of this aspect of the pro-life movement gives us all cause for optimism about the course of public

debate over the abortion issue. You haven't given into the false dichotomies and conflicts that some would impose on this subject -- you see your responsibility to help and protect both mother and child -- to guard life, to offer solace and hope, to stand with others in need not for a few minutes and a fee but for a lifetime of concern and caring if necessary. God bless you for this inspiring work -- I know that in many ways He already has;

-- I'm proud to be with you on this occasion and to wish you well in our common endeavor to restore the sanctity of innocent life as a guiding principle of our democracy. Thank you for your courage and commitment to this vital cause.

THE WHITE HOUSE  
WASHINGTON

8-8

TO: FFF

FROM: John G. Roberts, Jr.  
Associate Counsel  
to the President *JGR*

- FYI
- COMMENT
- ACTION

ABORTION MAILING, AS WE  
DISCUSSED THIS MORNING.

THE WHITE HOUSE

WASHINGTON

August 8, 1985

MEMORANDUM FOR CHARLES A. DONOVAN  
PRESIDENTIAL CORRESPONDENCE

FROM: FRED F. FIELDING Orig. signed by FFF  
COUNSEL TO THE PRESIDENT

SUBJECT: Abortion Mailing

You have asked for my views on a proposed form letter and proposed fact sheet on the Government's filings in Thornburgh v. American College of Obstetricians and Gynecologists and Diamond v. Charles, pending before the U.S. Supreme Court. The form letter and the fact sheet review the facts of the pending cases and the Government's legal arguments.

Consistent with established White House policy, neither the form letter nor the fact sheet may be approved. We adhere to a policy of not commenting from the White House on particular cases pending before the courts. Inquiries concerning such cases should be referred to the Department of Justice for appropriate handling. There is the danger that comment from the White House on a matter pending before the courts could prejudice the consideration of the case, to the detriment of the Government's position. In addition, White House involvement raises concerns about the intrusion of political considerations into the formulation of the Government's legal position by the Department of Justice, again to the detriment of the Government's position. Particularly in such a sensitive area as this, every safeguard should be observed to ensure that the Government's arguments before the Court are perceived as legal, not political.

cc: David L. Chew

FFF:JGR:aea 8/8/85

bcc: FFFielding

JGRoberts

Subj

Chron

THE WHITE HOUSE  
WASHINGTON

8-8

TO: FFF

FROM: John G. Roberts, Jr.  
Associate Counsel  
to the President *JGR*

- FYI
- COMMENT
- ACTION

ABORTION MAILING, AS WE  
DISCUSSED THIS MORNING.

THE WHITE HOUSE

WASHINGTON

August 8, 1985

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cc: David L. Chew

FFF:JGR:aea 8/8/85

bcc: FFFielding

JGRoberts

Subj

Chron

**WHITE HOUSE  
CORRESPONDENCE TRACKING WORKSHEET**

 O - OUTGOING H - INTERNAL I - INCOMING

Date Correspondence Received (YY/MM/DD)

Name of Correspondent: Charles Danovian

 MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

Subject: Summary / fact sheet on abortion cases now pending before supreme court**ROUTE TO:**

Office/Agency <u>CIA/CIA</u>	(Staff Name) <u>Curat 18</u>	<b>ACTION</b>		<b>DISPOSITION</b>	
		Action Code	Tracking Date YY/MM/DD	Type of Response	Code
		ORIGINATOR	<u>85107125</u>		/ /
		Referral Note:			
		R	<u>85107126</u>	S	<u>85108106</u>
		Referral Note:			/ /
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		Referral Note:			

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 Code = "A"  
 Completion Date = Date of Outgoing

Comments: draft form letter also attached

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Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

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THE WHITE HOUSE  
WASHINGTON

October 8, 1985

MEMORANDUM FOR DAVID L. CHEW  
STAFF SECRETARY

FROM: FRED F. FIELDING Orig. signed by FFF  
COUNSEL TO THE PRESIDENT

SUBJECT: Presidential Message for Aborted Fetuses

On October 3, 1985, Charles Donovan, for Anne Higgins, provided my office with a copy of a proposed Presidential message to be sent to the October 6 memorial service for the aborted fetuses discovered in Los Angeles in 1982, for our review. On October 4, my office telephoned Donovan and advised him that the message should not be sent. This decision was based upon my review of the legal dispute surrounding the burial, and the egregious misuse of a previous Presidential message by the same individual requesting this one.

According to this morning's edition of the New York Times, however, the very message I had explicitly disapproved was in fact sent. I would like an explanation of why the system of review we have in place failed to function in this instance.

cc: Anne Higgins  
Charles A. Donovan

FFF:JGR:aea  
bcc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON

October 4, 1985

MEMORANDUM FOR FRED F. FIELDING

FROM: JOHN G. ROBERTS *JGR*

SUBJECT:

California Pro Life Medical  
Association Event, October 6

Charles Donovan, for Anne Higgins, has asked for our review of a proposed Presidential telegram to be sent to a memorial service to be held in Los Angeles on October 6 for the 16,500 aborted fetuses discovered at a medical laboratory in 1982. You will recall that local government officials originally planned to turn the fetuses over to a private group for a religious burial, but the plan was blocked by the ACLU and the Feminist Women's Health Center. The state courts directed the officials to dispose of the remains by cremation or burial, without arranging or participating in religious ceremonies. The officials now plan a non-religious burial, and the California Pro Life Medical Association (CPLMA) is planning a separate memorial service. CPLMA has been actively involved in the issue since the beginning.

Donovan notes that sending a message would be an appropriate follow-up to the President's May 5, 1982, letter to Dr. Phillip Dreisbach, Secretary for CPLMA (Tab A). That letter, prepared and sent by Higgins without our knowledge (according to Peter Rusthoven's files), praised CPLMA's decision to hold a memorial service for the fetuses. Dr. Dreisbach later sent a photo exhibit to the President, featuring the May 5 letter surrounded by pictures of aborted fetuses. Mr. Hauser sent a letter to Dr. Dreisbach, protesting the planned use of the President's letter (Tab B).

I have only one small objection to the text of the proposed telegram. In the third paragraph, the text states that the Roe and Doe decisions "made void all our laws protecting the lives of infants developing in their mothers' wombs." This is legally inaccurate, since Roe v. Wade permitted some regulation of abortion -- and even a ban on abortion -- depending on the stage of the pregnancy. I would change "all our laws" to "many of our laws." With this change, I have no objection to the text. It criticizes the Roe and Doe decisions, to be sure, and states that they cannot long endure, but the President has said as much often in the past.

Nor do I have any objection to the President sending a message to the memorial service. The President's position is that the fetuses were human beings, or at least cannot be proven not to have been, and accordingly a memorial service would seem an entirely appropriate means of calling attention to the abortion tragedy.

My concern is sending another message to Dreisbach, who was prepared to misuse the previous Presidential message on a gruesome anti-abortion display. I recommend approving the telegram (with the one change), but making certain the recipients understand that it may not be reprinted or used in any future materials. A memorandum for Donovan is attached.

Attachments

FOL 04

THE WHITE HOUSE

WASHINGTON

January 28, 1985

Dear Dr. Dreisbach:

This will acknowledge and respond to your recent letter to the President enclosing a copy of the anti-abortion photographic exhibit your organization wishes to display in Washington, D.C., and requesting an opportunity to show the exhibit to the President.

The President will be unable to accommodate this request for a personal meeting. In addition, we must protest the reproduction on this exhibit of the President's letter of May 5, 1982 and ask that your Association cease to use any reproduction of that letter either on this poster or in any of your literature.

As you know, the White House did not grant permission for this use of the President's letter. More generally, Presidential messages of this sort are not intended to be reproduced by their recipients for recruiting, promotional or fundraising or other extraneous purposes. Finally, as you were advised by Peter Rusthoven of our staff in his letter of August 13, 1984, the President, despite his frequently articulated personal opposition to abortion, cannot comment on matters pending before State courts -- something which the inclusion of this 1982 letter in your photographic exhibit suggests he is doing.

I will appreciate your prompt written assurance of intent to comply with the requests set forth above, and trust you can understand the reasons for those requests.

Sincerely,

Original signed by RAH

Richard A. Hauser  
Deputy Counsel to the President

Philip B. Dreisbach, M.D.  
Secretary-Treasurer  
California Pro Life Medical Association  
Post Office Box 99  
Palm Springs, California 92263

RAH:PJR:ph 1/25/85

cc: RAHauser

PJRusthoven

Subject  
Chron.

**C O P Y**  
**from ORM**

May 6, 1982

U/I:152

4900

WE 003

Dear Dr. Dreisbach:

I have received your letter and I want you to know of the great horror and sadness evoked by the incident you described. When all is said and done, being confronted with the reality of abortion and its consequences removes all trace of doubt and hesitation. The terrible irony about this sudden discovery is not that so many human lives were legally aborted, but that they are only a tiny proportion of the 1.5 million unborn children quietly destroyed in our nation each year. This is the truth many would rather not face.

Your decision to hold a memorial service for these children is most fitting and proper. On such an occasion, we must strengthen our resolve to end this national tragedy. I am hopeful that evidence like that found in California will move those who have thus far preferred silence or inaction and encourage them to agree that something must be done. I have expressed my anticipation that Congress act expeditiously on this matter and approve a measure which will remove this evil, and all its vestiges, from our society.

Thank you for writing, and may God bless you in all your efforts.

Sincerely,

**RONALD REAGAN**

A

X  
Philip B. Dreisbach, M.D.  
Secretary

X California Pro Life Medical Association  
Post Office Box 99  
Palm Springs, California 92263

RR:CAD:jm--

3205 7

*John  
Charles Donovan  
Arrived Donov  
FFF didn't think  
letter was necessary*

THE WHITE HOUSE  
WASHINGTON,

October 4, 1985

MEMORANDUM FOR CHARLES A. DONOVAN  
OFFICE OF WHITE HOUSE CORRESPONDENCE

FROM: FRED F. FIELDING  
COUNSEL TO THE PRESIDENT

SUBJECT: California Pro Life Medical  
Association Event, October 6

You have asked for this office's views on a proposed telegram from the President to a memorial service to be held October 6, for the 16,500 fetuses discovered in Los Angeles in 1982. The telegram is to be sent to Dr. Phillip Dreisbach, Secretary of the California Pro Life Medical Association.

On May 5, 1982, your office prepared and sent a letter from the President to Dr. Dreisbach, stating that a decision to hold a memorial service was "most fitting and proper." (The message was neither submitted to nor approved by this office.) Dr. Dreisbach subsequently misused the May 5 letter by reprinting it on a photo display featuring pictures of aborted fetuses. This office was compelled to write Dr. Dreisbach on January 28, 1985, protesting his misuse of the President's message.

While I have no legal objection to sending a message to the memorial service, I am quite concerned about another possible incident of misuse by Dr. Dreisbach. Accordingly, in sending the message, you should warn Dr. Dreisbach that while it may be read at the memorial service it may not be reprinted or otherwise used by him in any future materials. If Dr. Dreisbach is not fully agreeable to these conditions, no message should be sent.

With respect to the proposed text, "all" in line 12 should be changed to "many of." Roe and Doe did not void all laws regulating abortion, and in fact recognized the validity of certain regulations and even prohibitions, depending on the stage of the pregnancy.

FFF:JGR:aea 10/4/85  
cc: FFFielding  
JGRoberts  
Subj  
Chron

THE WHITE HOUSE

WASHINGTON,

October 4, 1985

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You have asked for this office's views on a proposed telegram from the President to a memorial service to be held October 6, for the 16,500 fetuses discovered in Los Angeles in 1982. The telegram is to be sent to Dr. Phillip Dreisbach, Secretary of the California Pro Life Medical Association.

On May 5, 1982, your office prepared and sent a letter from the President to Dr. Dreisbach, stating that a decision to hold a memorial service was "most fitting and proper." (The message was neither submitted to nor approved by this office.) Dr. Dreisbach subsequently misused the May 5 letter by reprinting it on a photo display featuring pictures of aborted fetuses. This office was compelled to write Dr. Dreisbach on January 28, 1985, protesting his misuse of the President's message.

While I have no legal objection to sending a message to the memorial service, I am quite concerned about another possible incident of misuse by Dr. Dreisbach. Accordingly, in sending the message, you should warn Dr. Dreisbach that while it may be read at the memorial service it may not be reprinted or otherwise used by him in any future materials. If Dr. Dreisbach is not fully agreeable to these conditions, no message should be sent.

With respect to the proposed text, "all" in line 12 should be changed to "many of." Roe and Doe did not void all laws regulating abortion, and in fact recognized the validity of certain regulations and even prohibitions, depending on the stage of the pregnancy.

FFF:JGR:aea 10/4/85

cc: FFFielding  
JGRoberts  
Subj  
Chron

ID #

CU

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

O - OUTGOING  
 I - INTERNAL  
 I - INCOMING  
 Date Correspondence Received (YY/MM/DD) 1 1

Name of Correspondent: Charles A. Donovan

MI Mail Report

User Codes: (A)  (B)  (C)

Subject: California Pro Life Medical Association  
Event Oct. 6

### ROUTE TO:

### ACTION

### DISPOSITION

Office/Agency (Staff Name)

Action Code

Tracking Date  
YY/MM/DD

Type of Response

Completion Date  
YY/MM/DD

Whitland

ORIGINATOR

RS/10/04

WAT 18

Referral Note:

Please call me

RS/10/04

Referral Note:

D RS/10/04

Referral Note:

RS/10/04

Referral Note:

RS/10/04

Referral Note:

RS/10/04

### ACTION CODES:

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet  
to be used as Enclosure

- I - Info/Copy Only/No Action Necessary
- R - Direct Reply w/Copy
- S - For Signature
- X - Interim Reply

### DISPOSITION CODES:

- A - Answered
- B - Non-Special Referral
- C - Completed
- S - Suspended

### FOR OUTGOING CORRESPONDENCE:

- Type of Response = Initials of Signer
- Code = "A"
- Completion Date = Date of Outgoing

Comments:

Keep this worksheet attached to the original incoming letter.

Send all routing updates to Central Reference (Room 75, OEOB).

Always return completed correspondence record to Central Files.

Refer questions about the correspondence tracking system to Central Reference, ext. 2590.

THE WHITE HOUSE  
WASHINGTON

October 3, 1985

TO: JOHN ROBERTS  
Counsel's Office

RE: California Pro Life  
Medical Association Event  
(OCTOBER 6)

Attached for your review is a draft Presidential telegram for a memorial service in Los Angeles this Sunday for more than 16,500 aborted fetuses found at a medical laboratory in 1982. You will want to review the back-up to this request which shows the President's support for a memorial service. The message is a necessary follow-up to the Presidential letter of May 5, 1982, and its language closely tracks published Presidential statements (see language attached).

Please call me if there are any questions.  
Thank you.

Charles A. Donovan *CAD*  
(for) ANNE HIGGINS  
94-OEOB/Ext. 7610

# TELEGRAM

FULL RATE

(STRAIGHT TELEGRAM)

NIGHT LETTER

MAILGRAM

## The White House Washington

[REDACTED] October 3, 1985

Philip B. Dreisbach, M.D.  
Secretary  
California Pro Life Medical Association  
Post Office Box 99  
Palm Springs, California 92263

One hundred and twenty two years ago Abraham Lincoln spoke at Gettysburg to honor the thousands who had fallen there in battle. They gave their lives, he said, in a war testing whether a nation pledged to the principles of the Declaration of Independence could long endure. Their sacrifice, he said, had already hallowed the burial ground. But it was up to the living to make sure that the dead had not died in vain.

It is altogether fitting that we should recall Lincoln's words here. For just as the terrible toll of Gettysburg can be traced to a tragic decision of a divided Supreme Court, so also can the deaths we mourn.

Almost thirteen years ago, the Roe and Doe decisions made void all our laws protecting the lives of infants developing in their mothers' wombs. Once again a whole category of human beings had been ruled outside the protection of the law by a court ruling which clashed with our deepest moral convictions.

Like you, I am convinced that these decisions cannot long endure. For this nation was founded by people who shared a vision of the sacredness of human life.

APPROVED FOR DISPATCH

# TELEGRAM

FULL RATE   
(STRAIGHT TELEGRAM)   
NIGHT LETTER   
MAILGRAM

## The White House Washington

10/3 Aborted Babies (con't)

2

Three years ago the grisly discovery that finally led to today's rites of reverence and atonement shocked many into a new awareness of the grim reality of abortion.

I am confident that your memorial service will touch many others as you proclaim the inviolable dignity of human life at every state of its development; as you remind us that the unalienable right to life comes to each of us from our Creator, and that to protect innocent life is the first duty of the state.

Let not our grief drown our hope. For if that should happen these little ones we mourn will have died in vain. Rather from these innocent dead let us take increased devotion to the cause of restoring to all the unborn the full protection they deserve.

May God bless you, and may He speed the day when the right to life of every human being -- no matter how weak, no matter how small, no matter how defenseless -- is honored and protected by our laws and our public policy.

RONALD REAGAN

RR:PN:CAD:OPL:reno PM34  
cc: K.Osborne/C.Korte/CF  
EVENT: October 6  
10/3 Aborted Babies

MAILGRAM - October 3, 1985

Philip B. Dreibach, M.D.  
Secretary  
California Pro Life Medical Association  
Post Office Box 38  
Palm Springs, California 92263

One hundred and twenty two years ago Abraham Lincoln spoke at Gettysburg to honor the thousands who had fallen there in battle. They gave their lives, he said, in a war testing whether a nation pledged to the principles of the Declaration of Independence could long endure. Their sacrifice, he said, had already hallowed the burial ground. But it was up to the living to make sure that the dead had not died in vain.

It is altogether fitting that we should recall those words here. For just as the survival of the country will be based on a tragic decision of a divided Supreme Court, so also will the deaths we mourn.

Almost fifteen years ago, the Supreme Court decided to void all our laws protecting the lives of infants developing in their mothers' womb. Once again a whole category of human beings had been ruled outside the protection of the law by a court ruling which clashed with our deepest moral convictions.

Like you, I am convinced that those decisions cannot long endure. For this nation was founded by people who shared a vision of the greatness of human life.

**10/3 Aborted Babies (cont)**

Three years ago the grisly discovery that finally led to today's rites of reverence and atonement shocked many into a new awareness of the grim reality of abortion.

I am confident that your memorial service will touch many others as you proclaim the inviolable dignity of human life at every stage of its development; as you remind us that the unalienable right to life comes to each of us from our Creator, and that to protect innocent life is the first duty of the state.

Let not our grief drown our hope. For if that should happen these little ones we honor will have died in vain. Rather their cause becomes even more urgent. Our deepest sorrow is the realization that all the efforts of the last two years of their lives were徒劳的.

May God bless you, and may He speed the day when the right to life of every human being — no matter how weak, no matter how small, no matter how unwanted — is honored and protected by our laws and our people.

**RONALD REAGAN**

RE: PH: CAD: DPL: rmc: JWL  
cc: K. Gibbons/C. Kortiwere  
EVENT: October 3  
10/3 Aborted Babies

Nor do I have any objection to the President sending a message to the memorial service. The President's position is that the fetuses were human beings, or at least cannot be proven not to have been, and accordingly a memorial service would seem an entirely appropriate means of calling attention to the abortion tragedy.

My concern is sending another message to Dreisbach, who was prepared to misuse the previous Presidential message on a gruesome anti-abortion display. I recommend approving the telegram (with the one change), but making certain the recipients understand that it may not be reprinted or used in any future materials. A memorandum for Donovan is attached.

Attachments

RUE ONG

THE WHITE HOUSE

WASHINGTON

January 28, 1985

Dear Dr. Dreisbach:

This will acknowledge and respond to your recent letter to the President enclosing a copy of the anti-abortion photographic exhibit your organization wishes to display in Washington, D.C., and requesting an opportunity to show the exhibit to the President.

The President will be unable to accommodate this request for a personal meeting. In addition, we must protest the reproduction on this exhibit of the President's letter of May 5, 1982 and ask that your Association cease to use any reproduction of that letter either on this poster or in any of your literature.

As you know, the White House did not grant permission for this use of the President's letter. More generally, Presidential messages of this sort are not intended to be reproduced by their recipients for recruiting, promotional or fundraising or other extraneous purposes. Finally, as you were advised by Peter Rusthoven of our staff in his letter of August 13, 1984, the President, despite his frequently articulated personal opposition to abortion, cannot comment on matters pending before State courts -- something which the inclusion of this 1982 letter in your photographic exhibit suggests he is doing.

I will appreciate your prompt written assurance of intent to comply with the requests set forth above, and trust you can understand the reasons for those requests.

Sincerely,

Original signed by RAH

Richard A. Hauser  
Deputy Counsel to the President

Philip B. Dreisbach, M.D.  
Secretary-Treasurer  
California Pro Life Medical Association  
Post Office Box 99  
Palm Springs, California 92263

RAH:PJR:ph 1/25/85  
cc: RAHauser  
PJRusthoven

Subject  
Chron.

U71152

4900

WE 003

# C O P Y

May 6, 1982

from ORM

Dear Dr. Dreisbach:

I have received your letter and I want you to know of the great horror and sadness evoked by the incident you described. When all is said and done, being confronted with the reality of abortion and its consequences removes all trace of doubt and hesitation. The terrible irony about this sudden discovery is not that so many human lives were legally aborted, but that they are only a tiny proportion of the 1.5 million unborn children quietly destroyed in our nation each year. This is the truth many would rather not face.

Your decision to hold a memorial service for these children is most fitting and proper. On such an occasion, we must strengthen our resolve to end this national tragedy. I am hopeful that evidence like that found in California will move those who have thus far preferred silence or inaction and encourage them to agree that something must be done. I have expressed my anticipation that Congress act expeditiously on this matter and approve a measure which will remove this evil, and all its vestiges, from our society.

Thank you for writing, and may God bless you in all your efforts.

Sincerely,

RONALD REAGAN

A

\*

Philip E. Dreisbach, M.D.

Secretary

\* California Pro Life Medical Association  
Post Office Box 99  
Palm Springs, California 92263

RR:CAD:jm--

5205 7

THE WHITE HOUSE  
WASHINGTON

April 9, 1986

MEMORANDUM FOR DIANNA G. HOLLAND

FROM: JOHN G. ROBERTS *JGR*

SUBJECT: Mazzoli Letter on Pardons for  
Abortion Clinic Bombers

I have as yet received no response from Nancy Risque on the attached. I do not know if she has decided we need no response, or if she responded in another fashion.

THE WHITE HOUSE  
WASHINGTON

February 10, 1986

MEMORANDUM FOR NANCY J. RISQUE  
DEPUTY ASSISTANT TO THE PRESIDENT  
FOR LEGISLATIVE AFFAIRS

FROM: JOHN G. ROBERTS  
ASSOCIATE COUNSEL TO THE PRESIDENT

SUBJECT: Mazzoli Letter on Pardons for  
Abortion Clinic Bombers

Attached is a copy of our proposed response to Congressman Mazzoli. I welcome any comments or suggestions.

THE WHITE HOUSE  
WASHINGTON

February 10, 1986

Dear Mr. Mazzoli:

Thank you for your letter of January 29 to the President. In that letter you expressed concern over reports about a conversation between the President and Pro-Life leaders on the possibility of pardons for those convicted in connection with bombings of abortion clinics.

The President unequivocally condemns such acts of violence and believes that those responsible should be prosecuted to the full extent of the law. No matter how lofty or sincerely held the goal, those who resort to violence to achieve it are criminals.

The President has no intention of granting special treatment in the pardon process to those convicted of violence against abortion clinics. Any requests for pardons received from such individuals will be processed in the first instance by the Pardon Attorney in the Department of Justice, as is true of pardon requests in general. The resolution of any pardon request cannot be determined in advance of receipt of the particular request, since a decision to grant or deny a pardon depends upon careful review of all the facts of a specific case. I can assure you, however, that in considering any pardon requests from those convicted of violence against abortion clinics, neither the cause that these misguided individuals mistakenly believed they were serving, nor the target of their violence, will in any way be considered to mitigate the seriousness of their offense against our laws.

I hope the foregoing responds to your concerns. Thank you for sharing your views on this matter with us.

Sincerely,

Richard A. Hauser  
Deputy Counsel to the President

The Honorable Romano L. Mazzoli  
House of Representatives  
Washington, D.C. 20515

THE WHITE HOUSE  
WASHINGTON

February 10, 1986

TO: John G. Roberts

FROM: Richard A. Hauser  
*Deputy Counsel to the President*

FYI: \_\_\_\_\_

COMMENT: \_\_\_\_\_

ACTION: Nancy Risque asked that  
you call her re: the  
attached.

ML

ID #

CU

## WHITE HOUSE CORRESPONDENCE TRACKING WORKSHEET

 O - OUTGOING H - INTERNAL I - INCOMING

Date Correspondence Received (YY/MM/DD)

Name of Correspondent:

Rep. Romano Mazzoli

 MI Mail Report

User Codes: (A) \_\_\_\_\_ (B) \_\_\_\_\_ (C) \_\_\_\_\_

**Subject:** Distressed over reports that there was discussion between the President and Pro-life leaders about granting pardons to those convicted in connection with bombings of abortion clinics.

**ROUTE TO:**

Office/Agency	(Staff Name)	ACTION	DISPOSITION		
		Action Code	Tracking Date YY/MM/DD	Type of Response	Completion Date YY/MM/DD

CUHOLZ

ORIGINATOR 06/07/85

Referral Note D-7 KAH Signature

CUAT 18

861001/2

B61001/2

Referral Note

Referral Note

Referral Note

Referral Note

**ACTION CODES:**

- A - Appropriate Action
- C - Comment/Recommendation
- D - Draft Response
- F - Furnish Fact Sheet
- G - To be used as Enclosure

- I - Info Copy Delphic Action Request
- R - Direct Reply w/Copy
- S - For Signature
- X - Standard Reply

**DISPOSITION CODES:**

- A - Answered
- B - Non-Special Treatment
- C - Completed
- S - Suspended

**NON-ROUTING CORRESPONDENCE**

Type of Response: \_\_\_\_\_  
Code: \_\_\_\_\_

Completion Date: \_\_\_\_\_

**Comments:**

Keep this worksheet attached to the original incoming letter.  
 Send all routing updates to Central Reference (Room 75, GEOB).  
 Always return completed correspondence record to Central Files.  
 Refer to page 1

THIRD DISTRICT KENTUCKY  
WASHINGTON OFFICE  
DANIEL SALL  
ADMINISTRATIVE ASSISTANT  
2246 Rayburn Building  
WASHINGTON, DC 20515  
TELEPHONE (202) 225-5401

JUDICIARY  
SMALL BUSINESS  
DISTRICT OF COLUMBIA

# Congress of the United States

## House of Representatives

Washington, DC 20515

January 29, 1981

DISTRICT OFFICE  
CHARLES MATTINGLY  
JOHN L. KILROY, JR.  
BRENDA SWEATT

FEDERAL BUILDING  
800 FEDERAL PLACE  
LOUISVILLE, KY 40202  
TELEPHONE: (502) 582-5129

74516

The President  
The White House  
Washington, D. C. 20500

Dear Mr. President:

I have worked for many years in the United States Congress to overturn the Supreme Court's infamous 1973 abortion rulings. However, there is no room in this noble and worthy fight for violence.

Therefore, I am greatly distressed over reports that there was some discussion between you and Pro-Life leaders about granting pardons to those convicted in connection with bombings of abortion clinics.

I remain unconvinced you could seriously entertain granting such pardons. But, the mere discussion of them does a serious disservice to the Pro-Life movement.

The only way we can hope to win the battle for the unborn is in the halls of Congress and the Courts, with the support and help of the American people. Our strength is increasing daily -- as evidenced by the tremendous outpouring of support shown at the recent March for Life activities.

Those who resort to violence, whatever the purity of their motivation, should be condemned and proscribed -- not pardoned.

With best wishes and regards,

Sincerely,

ROMANO L. MAZZOLI  
Member of Congress

RLM:sl

THE WHITE HOUSE  
WASHINGTON

February 5, 1986

DICK HAUSER:

Please be aware of the President's comments on this Congressional log. Please coordinate with Nancy Risque in preparing an appropriate response. You should also note these comments in light of the President's recent meeting in the Cabinet Room where this subject came up.

*DC*  
David Chew

*me*  
Mr obtain  
copy of incoming  
letter 2/15/86  
2/15

The President has seen 2/5

THE WHITE HOUSE  
WASHINGTON

RECORDED 1/3

ED FEB -4 1986

February 3, 1986

MEMORANDUM FOR THE PRESIDENT

FROM: M. B. OGLESBY, JR. *[Signature]*  
SUBJECT: Congressional Correspondence

Attached is the log of selected Congressional mail received January 30 - 31. This correspondence is being handled by the Office of Legislative Affairs.

PRESIDENTIAL LOG OF SELECTED HOUSE MAIL

30-31 1986

ABER

M BATES

CHARLES E. BENNETT

JOHN BREAUX

JOHN D. DINGELL

ROMANO L. MAZZOLI

RALPH REGULA

SUBJECT

COMMENTS

WRITES REGARDING REPORTS THAT YOU INTEND TO PRESENT CONGRESS WITH A PLAN TO RENEW LETHAL MILITARY AID TO THE CONTRA FORCES. "I RESPECTFULLY SUBMIT THAT THIS PLAN WILL NOT FURTHER THE GOALS OF PEACE OR POLITICAL CONCESSIONS FROM THE NICARAGUANS, AND FOR THAT REASON I WILL OPPOSE IT."

ENCLOSURES A COPY OF HIS RESOLUTION, WHICH HE FEELS WOULD CHANGE MANY VOTES ON MILITARY AID FOR THE CONTRAS. STATES THAT WE SHOULD NOT GIVE MILITARY AID TO REVOLUTIONARIES IN DIRECT VIOLATION OF EXISTING TREATIES. THIS BILL WOULD PROVIDE LEGAL GROUND FOR SUCH ASSISTANCE, AND HE AND MANY OF HIS COLLEAGUES WOULD SUPPORT IT.

WRITES ON BEHALF OF THE AMERICAN SUGAR CANE LEAGUE, AND SUPPORTS THEIR CALL FOR QUICK DECISIVE ACTION IN IMPLEMENTING THE SUGAR PROGRAM PROVISIONS OF THE 1985 FARM BILL BY TIGHTENING IMPORT QUOTAS.

WRITES REGARDING YOUR UPCOMING BRIEFING BY SENIOR OFFICIALS OF THE DEPARTMENT OF ENERGY ON SAFEGUARDS AND SECURITY AT DOE NUCLEAR WEAPONS FACILITIES. LISTS SEVERAL GENERIC PROBLEM AREAS THAT THE SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS BELIEVES MUST BE RESOLVED.

WRITES OF HIS DISTRESS OVER REPORTS THAT THERE WAS SOME DISCUSSION BETWEEN YOU AND PRO-LIFE LEADERS ABOUT GRANTING PARDONS TO THOSE CONVICTED IN CONNECTION WITH BOMBINGS OF ABORTION CLINICS. "THOSE WHO RESORT TO VIOLENCE, WHATEVER THE PURITY OF THEIR MOTIVATION, SHOULD BE CONDEMNED AND PROSCRIBED -- NOT PARDONÉD."

"YOUR REMARKS TO THE NATION LAST NIGHT WERE FIRST CLASS -- JUST THE RIGHT TOUCH FOR A GRIEVING PEOPLE."

*I have no  
intention of  
doing anything  
about these  
people*

JAN 30-31 1986

PRESIDENTIAL LOG OF SELECTED HOUSE MAIL

MEMBER

SUBJECT

COMMENTS

D. FRENCH SLAUGHTER, JR.  
ALSO SIGNED BY:  
PHILIP M. CRANE  
DAVID DREIER  
MARK D. SILJANDER

CALL TO YOUR ATTENTION THE HEALTH CARE SAVINGS ACCOUNT ACT, LEGISLATION THEY HAVE INTRODUCED WHICH WOULD NOT ONLY PROVIDE CATASTROPHIC ILLNESS PROTECTION FOR THE ELDERLY, BUT WOULD DECREASE GOVERNMENT INVOLVEMENT IN THE HEALTH CARE INDUSTRY. HOPE YOU WILL CONSIDER THIS PROPOSAL AS YOU STUDY THE VARIOUS OPTIONS IN PROVIDING FOR CATASTROPHIC ILLNESS PROTECTION.

VIRGINIA SMITH

REQUESTS ASSURANCES THAT THE COMMODITY PRICE PROVISIONS IN THE 1985 FARM BILL WILL BE HONORED IN FULL AND IN COMPLETE ACCORD WITH GRAMM-RUDMAN. "GIVEN THE FACT THAT PAYMENT-IN-KIND AUTHORITY STILL EXISTS, I AM ASKING FOR DEFINITIVE, OFFICIAL CONSIDERATION OF USING OUR TREMENDOUS ABUNDANCE OF GRAIN TO CARRY OUT THE INTENT OF GRAMM-RUDMAN..."

JAN 30-31 1986

PRESIDENTIAL LOG OF SELECTED SENATE MAIL

MEMBER

SUBJECT

COMMENTS

JOHN HEINZ

REQUESTS THAT YOU CAREFULLY CONSIDER THE  
POSSIBLE IMPACT ON MINORITY BUSINESSES  
BEFORE ANY CHANGES ARE MADE TO THE EXISTING  
FEDERAL REPORTING REQUIREMENTS.

ARLEN SPECTER

WRITES REGARDING THE TRAGIC DEATH OF THE  
SEVEN ASTRONAUTS AND SUGGESTS THAT ONE OF  
THE DEPARTMENT OF EDUCATION BUILDINGS HERE  
IN WASHINGTON BE NAMED IN HONOR OF CHRISTA  
MCAULIFFE.